

IC 4-23-16

Chapter 16. State Information Technology Oversight Commission

IC 4-23-16-1

Establishment

Sec. 1. There is established the state information technology oversight commission.

As added by Acts 1977, P.L.45, SEC.1. Amended by P.L.28-1983, SEC.40; P.L.143-2001, SEC.1.

IC 4-23-16-2

Members; appointment

Sec. 2. The commission shall be composed of the following four (4) members:

- (1) A member of the governor's staff, to be appointed by the governor.
- (2) A member of the auditor's staff, to be appointed by the auditor of state.
- (3) The director of the budget agency or the director's designee.
- (4) The commissioner of the Indiana department of administration or the commissioner's designee.

As added by Acts 1977, P.L.45, SEC.1. Amended by P.L.143-2001, SEC.2.

IC 4-23-16-3

Meetings; compensation

Sec. 3. The commission shall meet at the call of any member as necessary, but at least once each calendar quarter, by call of the chairman. The members of the commission serve without compensation and may not receive reimbursement for any expenses which they may incur.

As added by Acts 1977, P.L.45, SEC.1. Amended by P.L.17-1987, SEC.2.

IC 4-23-16-4

Assistance; groups or committees

Sec. 4. (a) The staff of the commission shall assist the commission in implementing this chapter.

(b) The commission shall create, from existing state agency personnel or other individuals and organizations, any additional groups or committees necessary to carry out its responsibilities.

As added by Acts 1977, P.L.45, SEC.1. Amended by Acts 1980, P.L.74, SEC.7; P.L.28-1983, SEC.39; P.L.18-1987, SEC.6; P.L.26-1989, SEC.16; P.L.143-2001, SEC.3.

IC 4-23-16-4.1

Executive director; appointment, powers, and duties

Sec. 4.1. (a) The governor shall appoint an executive director of the commission who serves at the governor's pleasure. The commission

shall advise the governor in the selection of the executive director.

(b) Subject to the approval of the commission, the executive director may do the following:

- (1) Employ staff necessary to advise and assist the commission as required by this chapter.
- (2) Fix compensation of staff according to the policies currently enforced by the budget agency and the state personnel department.
- (3) Engage experts and consultants to assist the commission.
- (4) Expend funds made available to the staff according to the policies established by the budget agency.
- (5) Establish policies, procedures, standards, and criteria necessary to carry out the duties of the staff of the commission.

As added by P.L.26-1989, SEC.17.

IC 4-23-16-4.2

Powers and duties of commission staff; advice and assistance to agency employees

Sec. 4.2. (a) Subject to the direction of the commission, the staff shall do the following:

- (1) Provide technical staff support services to the commission.
- (2) Monitor trends and advances in information technology.
- (3) Develop an overall strategy and architecture for the use of information technology in state government.
- (4) Coordinate state information technology master planning.
- (5) Review and recommend actions to the commission on project requests, contracts, and technical documents.
- (6) Provide consulting and technical advisory services to state agencies.
- (7) Monitor agency information technology activities.
- (8) Review information technology project plans and budget requests.
- (9) Develop and maintain policies, procedures, and guidelines for the effective use of information technology.
- (10) Monitor information technology legislation and recommend needed legislation to the commission.
- (11) Conduct periodic management reviews of information technology activities within state agencies.
- (12) Maintain an inventory of information technology resources and expenditures.
- (13) Perform other related functions and duties that are requested by the commission.

(b) The commission may require a director of information technology services or other knowledgeable individuals employed by an agency to advise and assist the staff in carrying out the commission's functions.

As added by P.L.26-1989, SEC.18. Amended by P.L.143-2001, SEC.4.

IC 4-23-16-5

"Information technology" defined; coordination of systems by commission

Sec. 5. (a) As used in this chapter, "information technology" includes the resources, technologies, and services associated with the fields of:

- (1) information processing;
- (2) office automation; and
- (3) telecommunication facilities and networks.

(b) It shall be the responsibility of the commission to coordinate the operations of the various information technology systems within the executive, including the administrative, branch of state government insofar as is possible without infringing upon the prerogatives of the separately elected state officials. The objectives of the commission shall be to develop consistent policy and to promote economical, effective, and integrated information technology services, technology accessibility, operational security, and adherence to the principles of the code of fair information practices for individual privacy.

As added by Acts 1977, P.L.45, SEC.1. Amended by P.L.28-1983, SEC.41; P.L.143-2001, SEC.5.

IC 4-23-16-6

Policy and administrative procedures; rules

Sec. 6. The commission shall develop and maintain policy and administrative procedures and shall distribute the operational rules of the commission to all affected agencies.

As added by Acts 1977, P.L.45, SEC.1.

IC 4-23-16-7

Functions

Sec. 7. The commission shall:

- (1) review the status of all major projects under implementation;
- (2) continuously monitor the quality and timeliness of the state's operations; and
- (3) except in the case of separately elected state officials, control new application projects by approving, modifying, deferring or rejecting project proposals.

As added by Acts 1977, P.L.45, SEC.1. Amended by P.L.28-1983, SEC.42.

IC 4-23-16-8

Approval of requests and contracts by commission; exception

Sec. 8. (a) Except as provided in subsection (b), all requests and contracts for information technology consultants and contractors, all requests and contracts for facilities management contractors, all requests and contracts for computer equipment or software rental, lease, or acquisition, and all requests for the sharing of either data or systems with any other agency of state, local, or federal government or with any nongovernmental entity must be submitted to the commission, or to the designee of the commission, for review and approval. The commission may not approve a request or contract submitted under this section unless the request or contract complies with the accessibility standards developed under section 12 of this chapter.

(b) Contracts by separately elected state officials are subject to

review and comment by the commission but are not subject to the approval of the commission. A contract by a separately elected state official must be submitted for review and comment by the commission, or by a designee of the commission, at least thirty (30) days before it is approved under IC 4-13-2-14.1.

As added by Acts 1977, P.L.45, SEC.1. Amended by P.L.28-1983, SEC.43; P.L.14-1984, SEC.16; P.L.31-1987, SEC.17; P.L.2-1995, SEC.6; P.L.143-2001, SEC.6.

IC 4-23-16-9

Information technology resource inventory; submission by agencies

Sec. 9. All agencies in the executive, including the administrative, branch of state government shall annually submit to the commission an information technology resource inventory to include all information technology hardware, software, technical personnel and information technology contracts.

As added by Acts 1977, P.L.45, SEC.1. Amended by P.L.28-1983, SEC.44; P.L.143-2001, SEC.7.

IC 4-23-16-10

Studies and reviews; recommendations

Sec. 10. The commission shall conduct such studies and reviews as it deems necessary to provide high quality, cost effective information technology within state government, with adequate protections of the individual citizen's interests in personal privacy. It shall recommend to the appropriate state official, the governor or the legislature, any necessary changes in information technology within state government.

As added by Acts 1977, P.L.45, SEC.1. Amended by P.L.143-2001, SEC.8.

IC 4-23-16-11

Repealed

(Repealed by P.L.22-1984, SEC.2.)

IC 4-23-16-12

Appointment of group to develop standards

Sec. 12. (a) The commission shall appoint a group to develop standards that are compatible with principles and goals contained in the electronic and information technology accessibility standards adopted by the architectural and transportation barriers compliance board under Section 508 of the federal Rehabilitation Act of 1973 (29 U.S.C. 794d), as amended.

(b) The group shall consist, at minimum, of the following:

- (1) A representative of an organization with experience in and knowledge of assistive technology policy.
- (2) An individual with a disability.

(c) If an agency cannot immediately follow the information technology accessibility standards, it shall submit a plan for undue burden with timelines for compliance, and the plan must provide

alternative means for accessibility during the period.

As added by P.L.143-2001, SEC.9. Amended by P.L.1-2002, SEC.11.